



The Corporation of the Township of Huron-Kinloss

Staff Report

Report Title: Township of Huron-Kinloss Refreshment Vehicle By-Law Proposed Amendment

Prepared By: Emily Dance, Clerk and Kelly Lush, Deputy Clerk

Department: Clerk

Date: May. 2, 2022

Report Number: CLK-2022-05-40 File Number: P09 REF 22

Attachments: Consolidated Refreshment Vehicle By-Law No. 2006-50

Recommendation:

THAT the Township of Huron-Kinloss Committee of the Whole hereby approves Report CLK-2022-05-40 prepared by Emily Dance, Clerk and Kelly Lush, Deputy Clerk AND authorizes amending the Refreshment Vehicle By-Law AND FURTHER authorizes the appropriate By-Laws coming forward.

Background:

In 2006 (amended in 2011), the Township of Huron-Kinloss passed By-law No. 2006-50 to regulate food vending carts in the Township. A Refreshment Vehicle means a vehicle, which is on wheels and is capable of being moved from place to place by a person. The Township permits only six in any calendar year.

To obtain a refreshment vehicle licence the applicant must:

- obtain a license from the Township & pay the licence fee (current rate \$350)
- be inspected by the Fire Chief and the Health Unit
- be located in a Commercial zone
- Provide insurance
- Be approved by resolution of Council

Past licenses issued:

Year	Licenses Issued	Location
2018	3	Pine River Cheese, Fishermans Cove and Fries Guys
2019	2	Pine River Cheese, Fishermans Cove
2020	1	Fishermans Cove
2021	4	Beaver Tails & Wild Willies – 2 – 1-2 day events for legion and fall fair, Fishermans Cove & Popcycle (Elliotts in Point Clark)

Discussion:

In 2021, following the application of Popcycle a refrigerated Bicycle Cart, Council directed staff to review the Refreshment Vehicle By-Law for options that could address different refreshment vehicles.

Staff discussed alternative options that would maintain the original intent of the Refreshment Vehicle By-Law including consideration for bricks and mortar businesses that operate year-round and maintaining the requirements for operating in commercial areas. Staff is suggesting the following amendments for consideration:

1. Refrigerated Bicycle Cart

Allow a separate License for a "Refrigerated Bicycle Cart and ensure that

- a. Only ice-cream cones, ice milk and other iced confectionery products are offered for sale or sold from the Refrigerated Bicycle Cart.
- b. All food items offered for sale or sold from the Refrigerated Bicycle Cart are individually wrapped
- c. The Refrigerated Bicycle Cart is not operated on any arterial roads within the municipality, must remain stationary when in service.
- d. No licensee of a Refrigerated Bicycle Cart shall employ or allow anyone under the legal age to work to operate the Refreshment Vehicle

2. Single Day Permit

As noted in the above chart, in 2021 the Township issued 2 one-day and 2 two-day Licences for Beaver Tails and Wild Willes, these events were held by the Royal Canadian Legion and Ripley Agriculture Society as fundraising events. It is recommended that a separate rate be included for a one-day event at a rate of \$200 and that single day events not be included in the total number of permitted refreshment vehicles licences for the year.

3. Exemptions – Special Events

When Community Events are scheduled, operating and safety plans require the organization to include provisions for food for licenced events and Township Special Events and that they have the required fire and health unit approvals. It has been common practice that these refreshment vehicles do not require a separate Refreshment Vehicle Licence, however, for clarity staff is recommending that this is stated as an exemption in the By-Law.

4. Issuance of Licence

The Refreshment Vehicle By-Law requires that the application be approved by Council resolution. Staff is recommending that similar to other Licenses that it be delegated to the Clerk to issue the License if all requirements are met. To note, exemptions to the By-Law would still require Council approval.

5. Fees

Proposed Fees:

Refreshment Vehicle Licence	\$350.00 per season (no change)
One – day Licence	\$200.00 per day
Refrigerated Bicycle Cart	\$200 per season

Financial Impacts:

The reduction in fees for refrigerated Bicycle Carts and one-day licence would still cover the associated staff administration costs for issuance of the License and Inspection by the Fire Chief.

Strategic Alignment / Link:

We are a prosperous community that continues to grow in a sustainable manner by retaining and expanding our existing businesses and attracting new ones.

Respectfully Submitted By:

Emily Dance, Clerk, Kelly Lush, Deputy Clerk

Approved By:

Mary Rose Walden, Chief Administrative Officer